

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**BROOK WALTON,**

**Petitioner,**

**v.**

**Civil Action No. 3:23cv126**

**WARDEN D. LEU,**

**Respondent.**

**MEMORANDUM OPINION**

Petitioner, a Virginia federal proceeding *pro se*, submitted a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. By Memorandum Order entered on March 1, 2023, the Court directed Petitioner, within thirty (30) days of the date of entry thereof, to complete and return the standardized form for filing a § 2241 petition as required by Eastern District of Virginia Local Civil Rule 83.4(A). The Court warned Petitioner that the failure to comply with the above directive would result in the dismissal of the action without prejudice. *See* Fed. R. Civ. P. 41(b).

More than thirty (30) days have elapsed since the entry of the March 1, 2023 Memorandum Order and Petitioner has not responded. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE. A certificate of appealability will be DENIED.

An appropriate Order shall accompany this Memorandum Opinion.

Date: 4-20-2023  
Richmond, Virginia

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/s/ MHL  
M. Hannah Lauck  
United States District Judge